

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTOPHER L. BOYD,

Petitioner,
v.

Case No. 2:09-CV-14761
HONORABLE AVERN COHN

MARY BERGHUIS,

Respondent.

ORDER GRANTING REQUEST FOR ADDITIONAL TIME TO FILE 6.500

This is a habeas case under 28 U.S.C. § 2254. Petitioner Christopher L. Boyd (Petitioner) is a state inmate at the Brooks Correctional Facility in Muskegon Heights, Michigan. Petitioner filed a pro se petition for a writ of habeas corpus challenging his convictions for two counts of armed robbery, one count of assault with intent to rob while armed, and three counts of possession of a firearm in the commission of a felony. The Court, on Petitioner's motion, held the petition in abeyance while Petitioner filed a 6.500 motion in state court to present unexhausted claims. See Order Holding in Abeyance the Petition for Writ of Habeas Corpus and Administratively Closing the Case, filed January 6, 2010. The Court gave Petitioner 180 days from the date of the order in which to file his 6.500 motion.

Before the Court is Petitioner's request for an additional 60 days in which to file his 6.500 motion. The motion is GRANTED. Petitioner shall file his 6.500 motion within 240 days of the Court's January 6, 2010 Order. Petition must still re-file a habeas

petition within **sixty (60) days after the conclusion of the state court post-conviction proceedings**. Petitioner is free at that time to file an amended habeas petition which contains newly exhausted claims.

SO ORDERED.

Dated: June 9, 2010

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to Christopher Boyd, 632071, Earnest C. Brooks Correctional Facility, 2500 S. Sheridan Drive, Muskegon Heights, MI 49444 and the attorneys of record on this date, June 9, 2010, by electronic and/or ordinary mail.

S/Julie Owens
Case Manager, (313) 234-5160